

Clint R. Hansen, #12108
Kevin N. Anderson, #100
FABIAN VANCOTT
215 South State Street, Ste. 1200
Salt Lake City, Utah 84151
Telephone: (801) 531-8900
chansen@fabianvancott.com
kanderson@fabianvancott.com

Gregory A. Davis (*Pro Hac Vice*)
SQUIRE PATTON BOGGS (US) LLP
1 East Washington Street, Ste. 2700
Phoenix, Arizona 85004
Telephone: (602) 528-4033
gregory.davis@squirepb.com
*Attorneys for Financial Industry Regulatory
Authority, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

ALPINE SECURITIES CORPORATION, a
Utah Corporation,

Plaintiff,
vs.

FINANCIAL INDUSTRY REGULATORY
AUTHORITY, a Delaware corporation,

Defendant.

Case No: 2:20-cv-00794-DBB-DBP

**OPPOSITION TO PLAINTIFF’S EX
PARTE MOTION FOR EXPEDITED
BRIEFING, HEARING, AND
CONSIDERATION OF PLAINTIFF’S
RENEWED MOTION FOR A
PRELIMINARY INJUNCTION**

District Judge David Barlow
Magistrate Judge Dustin B. Pead

Financial Industry Regulatory Authority, Inc. (“FINRA”), through its counsel of record, hereby submits this Opposition to Plaintiff’s Ex Parte Motion for Expedited Briefing, Hearing, and Consideration of Plaintiff’s Renewed Motion for a Preliminary Injunction (Dkt. No. 38) (“Motion for Expedited Briefing”).

Argument

Plaintiff's Motion for Expedited Briefing (Dkt. No. 38) should be denied because limiting the time FINRA has to respond to Plaintiff's Renewed Motion for Preliminary Injunction (Dkt. No. 36) is unnecessary to ensure that the motion is resolved prior to the September 20, 2021 resumption of Plaintiff's disciplinary proceeding.

Plaintiff filed its Renewed Motion for Preliminary Injunction (Dkt. No. 36) on August 16, 2021. FINRA's opposition to that motion is due August 30, 2021. *See* DUCivR 7-1(b)(3)(B). Thereafter, Plaintiff can file a reply in support of its Renewed Motion for Preliminary Injunction (Dkt. No. 36) "at [its] discretion," and no later than September 13, 2021. *See id.* Thus, without departing from the Court's standard briefing schedule, Plaintiff's Renewed Motion for Preliminary Injunction (Dkt. No. 36) will be fully briefed and ready for resolution no later than one week, and up to three weeks, before Plaintiff's disciplinary proceeding is scheduled to resume. Under these circumstances, there is no good cause to require FINRA to respond to Plaintiff's lengthy Renewed Motion for Preliminary Injunction (Dkt. No. 36) on an expedited basis.

Conclusion

For the foregoing reasons, FINRA respectfully requests that Plaintiff's Motion for Expedited Briefing (Dkt. No. 38) be denied.

DATED this 17th day of August, 2021.

/s/ Clint R. Hansen

Clint R. Hansen

Kevin N. Anderson

FABIAN VANCOTT

Gregory A. Davis (*admitted pro hac vice*)

SQUIRE PATTON BOGGS (US) LLP

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of August, 2021, I caused a true and correct copy of the foregoing to be filed via the Court's electronic filing system, which made service by email upon the following counsel of record:

Brent R. Baker
Aaron D. Lebenta
Jonathan D. Bletzacker
PARSONS BEHLE & LATIMER
bbaker@parsonsbehle.com
alebenta@parsonsbehle.com
jbletzacker@parsonsbehle.com
ecf@parsonsbehle.com

Maranda E. Fritz
MARANDA E. FRITZ, P.C.
maranda@fritzpc.com

/s/ Clint R. Hansen